

<p>Devin G. Nunes,</p> <p>Plaintiff,</p> <p>v.</p> <p>Ryan Lizza, Hearst Magazines, Inc., and Hearst Magazine Media, Inc.,</p> <p>Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 5:19-cv-04064-CJW-MAR</p>
<p>NuStar Farms, LLC, Anthony Nunes, Jr., and Anthony Nunes, III,</p> <p>Plaintiffs,</p> <p>v.</p> <p>Ryan Lizza and Hearst Magazine Media, Inc.,</p> <p>Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 5:20-cv-04003-CJW-MAR</p>

Plaintiffs NuStar Farms, LLC, Anthony Nunes, Jr. and Anthony Nunes, III (“the NuStar Plaintiffs”), and Devin G. Nunes (the “Congressman”) (collectively “Plaintiffs”), and Defendants Ryan Lizza and Hearst Magazine Media, Inc. (“Defendants”), pursuant to Local Rule 7, jointly request advance approval to file overlength Briefs in support of or in resistance to any motions for summary judgment in excess of the 20-page limit set forth in the applicable Local Rule.

The parties further jointly request that the Court permit one additional week to submit to chambers, by email, proposed publicly available redacted versions of all briefs, 56.1 statements, and appendices in support of or resistance to such motions for summary judgment that are filed under seal. The parties are not requesting an extension of time to file, under seal as necessary, their unredacted motions for summary judgment and related filings or resistances thereto. They intend to file any such motion and resistance papers by the applicable deadlines.

The parties state the following in support of these requests:

1. Plaintiffs and Defendants request permission to file briefs longer than the length prescribed in the Local Rules. Plaintiffs suggest an extension of each side's initial brief supporting or resisting summary judgment to allow up to 70 pages per brief. Defendants request that the extension allow up to 80 pages per brief.

2. Defendants believe good cause exists for granting the requested leave. There are two separate complaints at issue: One filed by the NuStar Plaintiffs, and one filed by the Congressman. Their cases present numerous and different legal issues, each of which require separate discussion under different applicable laws. Though Defendants will consolidate the presentation of their facts and argument as much as possible in this now-consolidated case—and to that end, will be submitting a single brief regarding both complaints—the additional pages are necessary to present the Court with thorough analysis that will be helpful to its consideration of this matter. Defendants believe 80 pages are sufficient for this presentation.

3. Plaintiffs also believe that good cause exists for granting the requested leave. They believe that 70 pages for briefs in support and resistance to motions for summary judgment is sufficient.

4. The granting of this Motion will assist the parties and the Court without prejudicing any party.

5. In accordance with Local Rule 7(l), counsel for Plaintiffs and Defendants conferred orally on this Motion and agree as its requests, except for the page number limitation of 70 or 80, and therefore proceed jointly in this Motion.

6. The dispositive motion deadline is October 25, 2022.

7. The parties further intend to file their initial appendices, briefs, and Rule 56.1 statements supporting summary judgment on the October 25, 2022 deadline and papers in resistance on their due date. Pursuant to the Protective Order and practice in this case, they expect to do so under seal, as they expect those pleadings will include and refer to matters that a party designated as confidential pursuant to the Protective Order.

8. To assist preparation of unredacted appendices, briefs, and Rule 56.1 statements, the parties each request a seven-day extension following the date they file these documents under seal to submit to chambers proposed redacted, public versions of those documents.

9. Good cause exists for this request for a short extension to prepare and submit to chambers, by email, proposed redacted versions of these filed motions papers. It will facilitate the careful compilation of unredacted versions, without the deadline pressure of filing motions, statements of material fact, exhibits, or other materials at the same time.

WHEREFORE, Plaintiffs and Defendants respectfully request (a) permission to file overlength briefs in support of or resistance to any motions for summary judgment, with a length of 70 or 80 pages subject to determination by this Court, and (b) a seven-day extension to file a redacted, public version of their supporting or resisting appendices, briefs, and Rule 56.1 statements, running from the date of filing their original version under seal.

Dated: October 17, 2022.

**Devin G. Nunes, NuStar Farms, LLC,
Anthony Nunes, Jr. Anthony Nunes, III,
Plaintiffs**

/s/ Steven S. Biss

Steven S. Biss (VSB #32972)
300 West Main Street, Suite 102
Charlottesville, Virginia 22903
Telephone: (804) 501-8272
Facsimile: (202) 318-4098
Email: *stevenbiss@earthlink.net*

William F. McGinn #24477
McGINN LAW FIRM
20 North 16th Street
Council Bluffs, Iowa 51501
Telephone: (712) 328-1566
Facsimile: (712) 328-3707
Email: *bmcginn@themcginnlawfirm.com*

Attorneys for Plaintiffs

**Ryan Lizza and Hearst Magazine Media, Inc.,
Defendants**

/s/ Michael A. Giudicessi

Jonathan R. Donnellan, *Lead Counsel**

jdonnellan@hearst.com

Ravi R. Sitwala*

rsitwala@hearst.com

Nathaniel S. Boyer*

nathaniel.boyer@hearst.com

Sarah S. Park*

sarah.park@hearst.com

Nina Shah*

nina.shah@hearst.com

Kristen Hauser

khauser@hearst.com

THE HEARST CORPORATION

Office of General Counsel

300 West 57th Street

New York, New York 10019

Telephone: (212) 841-7000

Facsimile: (212) 554-7000

**Admitted Pro Hac Vice*

Michael A. Giudicessi

michael.giudicessi@faegredrinker.com

Nicholas A. Klinefeldt

nick.klinefeldt@faegredrinker.com

Susan P. Elgin

susan.elgin@faegredrinker.com

FAEGRE DRINKER BIDDLE & REATH LLP

801 Grand Avenue, 33rd Floor

Des Moines, Iowa 50309-8003

Telephone: (515) 248-9000

Facsimile: (515) 248-9010

Scott W. Wright*

scott.wright@faegredrinker.com

FAEGRE DRINKER BIDDLE & REATH LLP

2200 Wells Fargo Center / 90 S. 7th Street

Minneapolis, Minnesota 55402

Telephone: (612) 766-7000

Facsimile: (612) 766-1600

**Admitted Pro Hac Vice*

Attorneys for Defendants